

2020 Aug-14 PM 01:27

State of Alabama  
Unified Judicial System**AFFIDAVIT OF SUBSTANTIAL  
HARDSHIP AND ORDER**Court Case Number: **CV 2020000128**  
U.S. DISTRICT COURT  
N.D. OF ALABAMAForm C-10-CIVIL  
Page 1 of 3 Rev. 9/2019

(Request to Waive Filing Fees)

IN THE District COURT OF Jefferson COUNTY, ALABAMA  
(Circuit or District) (Name of County)STYLE OF CASE: Sandra J. Staten v. D. B. Horton  
(Plaintiff(s)) (Defendant(s))☐ I, because of financial hardship, am unable to pay the fees and costs in this case. I request that payment of these fees and costs be waived initially and taxed as costs at the conclusion of the case.FILED IN OFFICE  
CIRCUIT CIVIL DIVISION

JUL 16 2020

## AFFIDAVIT

JACQUELINE ANDERSON SMITH  
CLERK

## 1. IDENTIFICATION

Full Name Sandra J. Staten Date of Birth 11/22/1951  
Spouse's Full Name (if married) \_\_\_\_\_  
Complete Home Address 66 3541 Stoney Brook Lane, Apt 204  
Fultondale, Alabama 35068  
Total Number of People I am Supporting Financially in Household Including Myself \_\_\_\_\_  
Telephone Number (Cell) 313-257-2723 (Home) \_\_\_\_\_ (Other) \_\_\_\_\_  
State & Last 4 Digits of Driver License's Number AL Last 4 Digits of Social Security Number 4401  
Employer's Name & Address N/A Employer's Telephone Number N/A

## 2. ASSISTANCE BENEFITS

Some of the residents in my household or I receive benefits from any of the following sources (check those which apply)

☐ Temporary Assistance for Needy Families (TANF) ☐ Food Stamps ☐ Medicaid  
☐ Social Security Income (SSI) ☐ Disability ☐ Other: \_\_\_\_\_

The monthly value of these benefits combined is \$ \_\_\_\_\_

3. INCOME/EXPENSE  
STATEMENT

## Monthly Gross Income:

My monthly gross income is \$ 2100.00  
My spouse's monthly gross income (unless a marital offense) is \$ \_\_\_\_\_  
My other monthly earnings (commissions, bonuses, interest income, etc.) are \$ \_\_\_\_\_  
The combined monthly income received by other members of my household is \$ \_\_\_\_\_  
Monthly Unemployment / Worker's Compensation, Social Security, Retirements, etc. \$ \_\_\_\_\_  
Child Support Payment(s)/Alimony Received \$ \_\_\_\_\_  
Other Monthly Income (be specific): \_\_\_\_\_ \$ \_\_\_\_\_3a. TOTAL MONTHLY GROSS INCOME \$ 2100.00

The Monthly Expenses I pay are:

Rent/Mortgage \$ 1200.00  
Total Utilities: Gas, Electricity, Water, etc. \$ 350.00  
Food \$ 275.00  
Clothing \$ \_\_\_\_\_  
Health Care/Medical Insurance \$ 400.00  
Car Payment(s)/Transportation Expenses \$ 500.00  
Loan Payment(s) \$ \_\_\_\_\_  
Credit Card Payment(s) \$ \_\_\_\_\_  
Educational/Employment Expenses \$ \_\_\_\_\_  
Cell Phone Expenses \$ \_\_\_\_\_  
Other Expenses (be specific): \_\_\_\_\_ \$ 275.00

3b. Subtotal

\$ 2725.00

3c. Child Support Payment(s)/Alimony (Subtotal)

\$ N/A

3d. Exceptional Expenses (Subtotal)

\$ \_\_\_\_\_

3e. TOTAL MONTHLY EXPENSES (Add totals from 3b., 3c., &amp; 3d. monthly only)

\$ 2725.00  
\$ (-725.00)

Total Monthly Gross Income (3a.) Minus Total Monthly Expenses (3e.)

(need help)

State of Alabama Unified Judicial System  Form C-10-CIVIL Page 2 of 3 Rev. 9 2019	<b>AFFIDAVIT OF SUBSTANTIAL HARDSHIP AND ORDER</b> (Request to Waive Filing Fees)	Court Case Number CV 202000026
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4. Assets

My assets are as follows:

Cash on Hand/Bank (or otherwise available such as stocks, bonds, certificates of deposit) \$ \_\_\_\_\_

Equity in Real Estate (value of property less what you owe) \$ \_\_\_\_\_

Equity in Personal Property, etc. (such as the value of motor vehicles, stereo, TV, electronics, furnishing, jewelry, tools, guns, less what you owe) \$ \_\_\_\_\_

Other (be specific): \_\_\_\_\_ \$ \_\_\_\_\_

Do you own anything else of value? ☐ Yes ☐ No

(land, house, boat, TV, stereo, jewelry)

If so, describe: \_\_\_\_\_ \$ \_\_\_\_\_

Total Assets \$ \_\_\_\_\_

5. Affidavit/Request

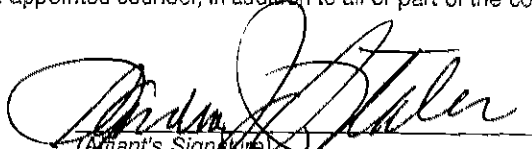
I swear or affirm that the answers are true and reflect my current financial status. I understand that a false statement or answer to any question in the affidavit may subject me to the penalties of perjury. I authorize the court or its authorized representative to obtain records of information pertaining to my financial status from any source in order to verify information provided by me. I further understand and acknowledge that, if the court appoints an attorney to represent me, the court may require me to pay all or part of the fees and expenses of my court-appointed counsel, in addition to all or part of the costs associated with this case.

Sworn to and subscribed before me this

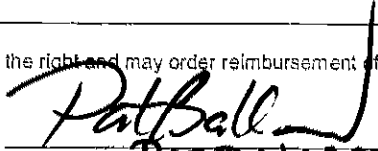
16 day of July, 2020

Beverly G. Moore

(Judge/Clerk/Notary)

  
 (Plaintiff's Signature)  
Sandra J. Staker  
 (Print or Type Name)

My Commission Expires October 7, 2023

<div>State of Alabama Unified Judicial System</div> <div>Form C-10-CIVIL Page 3 of 3 Rev. 9/2019</div>	<b>ORDER ON AFFIDAVIT OF SUBSTANTIAL HARDSHIP</b> (Request to Waive Filing Fees)	<div>Court Case Number <b>CV20200026</b></div>
<div>IN THE _____ COURT OF _____, ALABAMA</div> <div style="text-align: center;"><i>(Circuit or District)</i> <i>(Name of County or Municipality)</i></div> <div style="text-align: center;">v. _____</div>		
<p>The Court has considered the Affiant's testimony, his or her poverty level as measured by the United States poverty guidelines and the potential for substantial hardship that payment by the Affiant would cause. IT IS, THEREFORE, ORDERED AND ADJUDGED BY THE COURT AS FOLLOWS:</p> <p><input type="checkbox"/> <b>The request is DENIED.</b></p> <p style="margin-left: 40px;"><input type="checkbox"/> The Court finds that the Affiant is <b>NOT INDIGENT</b> and the Affiant's income is not within the United States poverty guidelines or the Affiant has the resources to pay for the requested items without substantial hardship:</p> <p style="margin-left: 40px;"><input type="checkbox"/> The case or situation is not one for which the request is applicable.</p> <p style="margin-left: 40px;"><input type="checkbox"/> Other (please specify): _____</p> <p style="margin-left: 40px;">_____</p> <p><input type="checkbox"/> <b>The Affiant is INDIGENT.</b> Therefore, the prepayment of filing fees and costs is hereby waived, and these fees and costs shall be taxed at the conclusion of the case.</p> <p><input type="checkbox"/> Other (please specify): _____</p> <p style="margin-left: 40px;">_____</p>		
<p>IT IS FURTHER ORDERED AND ADJUDGED that the court reserves the right and may order reimbursement of expenses, fees, and costs.</p> <div style="display: flex; justify-content: space-between;"><div style="width: 40%;">Done this <u>7/16/2020</u> <i>(Date)</i></div><div style="width: 55%; text-align: center;"><div></div><div>(Signature of <u>PAT BALLARD</u>, Judge) <i>(Printed Name)</i></div></div></div>		

CV 202000126

State of Alabama Unified Judicial System	<b>COVER SHEET</b> <b>CIRCUIT COURT – CIVIL CASE</b> (Not For Domestic Relations Cases)	Case Number C V     □ □ □ □     □ □ □ □     □ □ - □ □ Date of Filing: □ □ / □ □ / □ □ □ □     Judge Code: □ □     □ □     □ □ □ □     □ □ □ □ □ □ Month     Day     Year
Form ARCiv-93 Rev.9/18		
<b>GENERAL INFORMATION</b>		
IN THE CIRCUIT COURT OF <u>Jefferson County</u> , ALABAMA (Name of County) <u>Sandra J. Staten</u> v. <u>D.R. Horton</u> Plaintiff Defendant		
First Plaintiff	<input type="checkbox"/> Business <input type="checkbox"/> Government	<input checked="" type="checkbox"/> Individual <input type="checkbox"/> Other
First Defendant	<input checked="" type="checkbox"/> Business <input type="checkbox"/> Government	<input type="checkbox"/> Individual <input type="checkbox"/> Other
<b>NATURE OF SUIT:</b> Select primary cause of action, by checking box (check only one) that best characterizes your action:		
<b>TORTS: PERSONAL INJURY</b> <input type="checkbox"/> WDEA - Wrongful Death <input type="checkbox"/> TONG - Negligence: General <input type="checkbox"/> TOMV - Negligence: Motor Vehicle <input type="checkbox"/> TOWA - Wantonness <input type="checkbox"/> TOPL - Product Liability/AEMLD <input type="checkbox"/> TOMM - Malpractice-Medical <input type="checkbox"/> TOLM - Malpractice-Legal <input type="checkbox"/> TOOM - Malpractice-Other <input checked="" type="checkbox"/> YBFM - Fraud/Bad Faith/Misrepresentation <input type="checkbox"/> TOXX - Other: _____	<b>OTHER CIVIL FILINGS (cont'd)</b> <input type="checkbox"/> MSXX - Birth/Death Certificate Modification/Bond Forfeiture Appeal/ Enforcement of Agency Subpoena/Petition to Preserve <input type="checkbox"/> CVRT - Civil Rights <input type="checkbox"/> COND - Condemnation/Eminent Domain/Right-of-Way <input type="checkbox"/> CTMP - Contempt of Court <input type="checkbox"/> CONT - Contract/Ejectment/Writ of Seizure <input type="checkbox"/> TOCN - Conversion <input type="checkbox"/> EQND - Equity Non-Damages Actions/Declaratory Judgment Injunction Election Contest/Quiet Title/Sale For Division <input type="checkbox"/> CVUD - Eviction Appeal/Unlawful Detainer <input type="checkbox"/> FORJ - Foreign Judgment <input type="checkbox"/> FORF - Fruits of Crime Forfeiture <input type="checkbox"/> MSHC - Habeas Corpus/Extraordinary Writ/Mandamus/Prohibition <input type="checkbox"/> PFAB - Protection From Abuse <input type="checkbox"/> EPFA - Elder Protection From Abuse <input type="checkbox"/> FELA - Railroad/Seaman (FELA) <input type="checkbox"/> RPRO - Real Property <input type="checkbox"/> WTEG - Will/Trust/Estate/Guardianship/Conservatorship <input type="checkbox"/> COMP - Workers' Compensation <input type="checkbox"/> CVXX - Miscellaneous Circuit Civil Case	
<b>TORTS: PERSONAL INJURY</b> <input type="checkbox"/> TOPE - Personal Property <input type="checkbox"/> Tore - Real Property		
<b>OTHER CIVIL FILINGS</b> <input type="checkbox"/> ABAN - Abandoned Automobile <input type="checkbox"/> ACCT - Account & Nonmortgage <input type="checkbox"/> APAA - Administrative Agency Appeal <input type="checkbox"/> ADPA - Administrative Procedure Act <input type="checkbox"/> ANPS - Adults in Need of Protective Services		
<b>ORIGIN (check one):</b>		
F <input type="checkbox"/> INITIAL FILING	A <input type="checkbox"/> APPEAL FROM DISTRICT COURT	O <input type="checkbox"/> OTHER: _____
R <input type="checkbox"/> REMANDED	T <input type="checkbox"/> TRANSFERRED FROM OTHER CIRCUIT COURT	
<b>HAS JURY TRIAL BEEN DEMANDED?</b> <input checked="" type="checkbox"/> YES <input type="checkbox"/> NO		
Note: Checking "Yes" does not constitute a demand for a jury trial. (See Rules 38 and 39, Ala.R.Civ.P., for procedure)		
<b>RELIEF REQUESTED:</b> <input type="checkbox"/> MONETARY AWARD REQUESTED <input type="checkbox"/> NO MONETARY AWARD REQUESTED		
<b>ATTORNEY CODE:</b> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>		
Date: <u>7/16/2020</u>	Signature of Attorney/Party filing this form: <u>[Signature]</u>	
<b>MEDIATION REQUESTED:</b> <input type="checkbox"/> YES <input type="checkbox"/> NO <input type="checkbox"/> UNDECIDED		
<b>Election to Proceed under the Alabama Rules for Expedited Civil Actions:</b> <input type="checkbox"/> Yes <input type="checkbox"/> No		

State of Alabama Unified Judicial System  Form C-34      Rev. 4/2017	<b>SUMMONS -CIVIL-</b>	Court Case Number <b>CV2020000126</b>
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IN THE District COURT OF Jefferson COUNTY, FILED IN OFFICE  
CIRCUIT CIVIL DIVISION  
JUL 16 2020

(Circuit, District, or Juvenile)      (Name of County)

Sandra J. Stalen v. D. R. Horton

[Name(s) of Plaintiff(s)]      [Name(s) of Defendant(s)]

NOTICE TO: D. R. Horton 1341 Horton Circle, Arlington, TX 76011

(Name and Address of Defendant)

THE COMPLAINT OR OTHER DOCUMENT WHICH IS ATTACHED TO THIS SUMMONS IS IMPORTANT, AND YOU MUST TAKE IMMEDIATE ACTION TO PROTECT YOUR RIGHTS. YOU OR YOUR ATTORNEY ARE REQUIRED TO FILE THE ORIGINAL OF YOUR WRITTEN ANSWER, EITHER ADMITTING OR DENYING EACH ALLEGATION IN THE COMPLAINT OR OTHER DOCUMENT, WITH THE CLERK OF THIS COURT. A COPY OF YOUR ANSWER MUST BE MAILED OR HAND DELIVERED BY YOU OR YOUR ATTORNEY TO THE PLAINTIFF(S) OR ATTORNEY(S) OF THE PLAINTIFF(S), Sandra J. Stalen 90 Treneice Told, WHOSE

[Name(s) of Attorney(s)]

ADDRESS(ES) IS/ARE: 3541 Stoney Brook Lane Apt 204 Fulbrook, AL 35068

[Address(es) of Plaintiff(s) or Attorney(s)]

THIS ANSWER MUST BE MAILED OR DELIVERED WITHIN \_\_\_\_\_ DAYS AFTER THIS SUMMONS AND COMPLAINT OR OTHER DOCUMENT WERE SERVED ON YOU OR A JUDGMENT BY DEFAULT MAY BE RENDERED AGAINST YOU FOR THE MONEY OR OTHER THINGS DEMANDED IN THE COMPLAINT OR OTHER DOCUMENT.

**TO ANY SHERIFF OR ANY PERSON AUTHORIZED BY THE ALABAMA RULES OF CIVIL PROCEDURE TO SERVE PROCESS:**

☐ You are hereby commanded to serve this Summons and a copy of the Complaint or other document in this action upon the above-named Defendant.

☐ Service by certified mail of this Summons is initiated upon the written request of \_\_\_\_\_ [Name(s)]

pursuant to the Alabama Rules of Civil Procedure. Jacqueline Anderson Smith By: \_\_\_\_\_

(Date)      (Signature of Clerk)      (Name)

☐ Certified Mail is hereby requested. \_\_\_\_\_

(Plaintiff's/Attorney's Signature)

**RETURN ON SERVICE**

☐ Return receipt of certified mail received in this office on \_\_\_\_\_

(Date)

☐ I certify that I personally delivered a copy of this Summons and Complaint or other document to \_\_\_\_\_

(Name of Person Served)      in \_\_\_\_\_ County,

Alabama on \_\_\_\_\_

(Date)

(Type of Process Server)	(Server's Signature)	(Address of Server)
(Server's Printed Name)		(Phone Number of Server)

State of Alabama Unified Judicial System Form C-34 Rev. 4/2017	<b>SUMMONS -CIVIL-</b>	Court Case Number <b>CV202000126</b>
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IN THE District COURT OF Jefferson COUNTY, ALABAMA  
(Circuit, District, or Juvenile) (Name of County)

Sandra J. Staten v. D.R. Horton  
[Name(s) of Plaintiff(s)] [Name(s) of Defendant(s)]

FILED IN OFFICE  
CIRCUIT CIVIL DIVISION  
**JUL 16 2020**

NOTICE TO: D.R. Horton 1341 Horton Circle Arlington, Texas 76010  
(Name and Address of Defendant)

THE COMPLAINT OR OTHER DOCUMENT WHICH IS ATTACHED TO THIS SUMMONS IS IMPORTANT, AND YOU MUST TAKE IMMEDIATE ACTION TO PROTECT YOUR RIGHTS. YOU OR YOUR ATTORNEY ARE REQUIRED TO FILE THE ORIGINAL OF YOUR WRITTEN ANSWER, EITHER ADMITTING OR DENYING EACH ALLEGATION IN THE COMPLAINT OR OTHER DOCUMENT, WITH THE CLERK OF THIS COURT. A COPY OF YOUR ANSWER MUST BE MAILED OR HAND DELIVERED BY YOU OR YOUR ATTORNEY TO THE PLAINTIFF(S) OR ATTORNEY(S) OF THE PLAINTIFF(S). Sandra J. Staten & Treneice Todd, WHOSE  
[Name(s) of Attorney(s)]

ADDRESS(ES) IS/ARE: 3541 Stoney Brook Lane Apt 204 Fullerton, AL 35068  
[Address(es) of Plaintiff(s) or Attorney(s)]

THIS ANSWER MUST BE MAILED OR DELIVERED WITHIN \_\_\_\_\_ DAYS AFTER THIS SUMMONS AND COMPLAINT OR OTHER DOCUMENT WERE SERVED ON YOU OR A JUDGMENT BY DEFAULT MAY BE RENDERED AGAINST YOU FOR THE MONEY OR OTHER THINGS DEMANDED IN THE COMPLAINT OR OTHER DOCUMENT.

**TO ANY SHERIFF OR ANY PERSON AUTHORIZED BY THE ALABAMA RULES OF CIVIL PROCEDURE TO SERVE PROCESS:**

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☐ Service by certified mail of this Summons is initiated upon the written request of \_\_\_\_\_  
[Name(s)]  
 pursuant to the Alabama Rules of Civil Procedure.

\_\_\_\_\_  
(Date) **JUL 16 2020** Jacqueline Anderson Smith By: \_\_\_\_\_  
(Signature of Clerk) (Name)

☐ Certified Mail is hereby requested. \_\_\_\_\_  
(Plaintiff's/Attorney's Signature)

**RETURN ON SERVICE**

☐ Return receipt of certified mail received in this office on \_\_\_\_\_  
(Date)

☐ I certify that I personally delivered a copy of this Summons and Complaint or other document to \_\_\_\_\_  
(Name of Person Served) in \_\_\_\_\_ County,  
 Alabama on \_\_\_\_\_  
(Date)

\_\_\_\_\_  
(Type of Process Server) \_\_\_\_\_  
(Server's Signature) \_\_\_\_\_  
(Address of Server) \_\_\_\_\_  
 \_\_\_\_\_  
(Server's Printed Name) \_\_\_\_\_  
(Phone Number of Server) \_\_\_\_\_

**U.S. Postal Service™**  
**CERTIFIED MAIL® RECEIPT**  
*Domestic Mail Only*

For delivery information, visit our website at [www.usps.com](http://www.usps.com)®.

**OFFICIAL USE**

**Certified Mail Fee**  
 \$ \_\_\_\_\_

**Extra Services & Fees (check box, add fee as appropriate)**


<input type="checkbox"/> Return Receipt (hardcopy)	\$ _____
<input type="checkbox"/> Return Receipt (electronic)	\$ _____
<input type="checkbox"/> Certified Mail Restricted Delivery	\$ _____
<input type="checkbox"/> Adult Signature Required	\$ _____
<input type="checkbox"/> Adult Signature Restricted Delivery	\$ _____

**Postage**  
 \$ \_\_\_\_\_

**Total Postage and Fees**  
 \$ \_\_\_\_\_

**Sent To**  
 \_\_\_\_\_  
 Street and Apt. No., or PO Box No.  
 \_\_\_\_\_  
 City, State, ZIP+4®

PS Form 3800, April 2015 PSN 7530-02-000-9047 See Reverse for Instructions

SENDER: COMPLETE THIS SECTION	COMPLETE THIS SECTION ON DELIVERY		
<p>■ Complete items 1, 2, and 3.</p> <p>■ Print your name and address on the reverse so that we can return the card to you.</p> <p>■ Attach this card to the back of the mailpiece, or on the front if space permits.</p> <p>1. Article Addressed to:</p> <p style="text-align: center;"><b>D.R. HORTON</b>  <b>1341 HORTON CIRCLE</b>  <b>ARLINGTON, TX 76011</b></p> <div style="text-align: center;">   <b>9590 9402 5883 0038 7864 93</b> </div> <p>2. Article Number (transfer from service label)</p> <p style="text-align: center;"><b>7020 0090 0000 7628 1934</b></p>	<p>A. Signature <span style="float: right;"><input type="checkbox"/> Agent <input type="checkbox"/> Addressee</span></p> <p><b>X</b></p> <p>B. Received by (Printed Name) <span style="float: right;">C. Date of Delivery</span></p> <p>D. Is delivery address different from item 1? <span style="float: right;"><input type="checkbox"/> Yes <input type="checkbox"/> No</span></p> <p style="text-align: center; font-size: 1.5em;">5/C D1</p> <p style="text-align: center; font-size: 1.5em;">CV2020-126</p> <table border="0" style="width: 100%;"> <tr> <td style="vertical-align: top;"> <p>3. Service Type</p> <p><input type="checkbox"/> Adult Signature</p> <p><input type="checkbox"/> Adult Signature Restricted Delivery</p> <p><input checked="" type="checkbox"/> Certified Mail®</p> <p><input type="checkbox"/> Certified Mail Restricted Delivery</p> <p><input type="checkbox"/> Collect on Delivery</p> <p><input type="checkbox"/> Collect on Delivery Restricted Delivery</p> </td> <td style="vertical-align: top;"> <p><input type="checkbox"/> Priority Mail Express®</p> <p><input type="checkbox"/> Registered Mail™</p> <p><input type="checkbox"/> Registered Mail Restricted Delivery</p> <p><input checked="" type="checkbox"/> Return Receipt for Merchandise</p> <p><input type="checkbox"/> Signature Confirmation™</p> <p><input type="checkbox"/> Signature Confirmation Restricted Delivery</p> </td> </tr> </table>	<p>3. Service Type</p> <p><input type="checkbox"/> Adult Signature</p> <p><input type="checkbox"/> Adult Signature Restricted Delivery</p> <p><input checked="" type="checkbox"/> Certified Mail®</p> <p><input type="checkbox"/> Certified Mail Restricted Delivery</p> <p><input type="checkbox"/> Collect on Delivery</p> <p><input type="checkbox"/> Collect on Delivery Restricted Delivery</p>	<p><input type="checkbox"/> Priority Mail Express®</p> <p><input type="checkbox"/> Registered Mail™</p> <p><input type="checkbox"/> Registered Mail Restricted Delivery</p> <p><input checked="" type="checkbox"/> Return Receipt for Merchandise</p> <p><input type="checkbox"/> Signature Confirmation™</p> <p><input type="checkbox"/> Signature Confirmation Restricted Delivery</p>
<p>3. Service Type</p> <p><input type="checkbox"/> Adult Signature</p> <p><input type="checkbox"/> Adult Signature Restricted Delivery</p> <p><input checked="" type="checkbox"/> Certified Mail®</p> <p><input type="checkbox"/> Certified Mail Restricted Delivery</p> <p><input type="checkbox"/> Collect on Delivery</p> <p><input type="checkbox"/> Collect on Delivery Restricted Delivery</p>	<p><input type="checkbox"/> Priority Mail Express®</p> <p><input type="checkbox"/> Registered Mail™</p> <p><input type="checkbox"/> Registered Mail Restricted Delivery</p> <p><input checked="" type="checkbox"/> Return Receipt for Merchandise</p> <p><input type="checkbox"/> Signature Confirmation™</p> <p><input type="checkbox"/> Signature Confirmation Restricted Delivery</p>		

Domestic Return Receipt

PS Form 3811, July 2015 PSN 7530-02-000-9053



## IN THE DISTRICT COURT OF JEFFERSON COUNTY, ALABAMA

## BIRMINGHAM, ALABAMA

STATEN, SANDRA J.

)

)

Plaintiff,

)

)

)

)

)

)

)

)

CV 202000126

Case No.: \_\_\_\_\_

\_\_\_\_\_

vs.

JURY TRIAL DEMAND

D.R. HORTON, INC.,

FILED IN OFFICE  
CIRCUIT CIVIL DIVISION

JUL 16 2020

Defendant(s).

JACQUELINE ANDERSON SMITH  
CLERK

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"COMPLAINT - CIVIL CASE"

{ UNITED STATES DISTRICT EASTERN DISTRICT OF MICHIGAN  
SOUTHERN DIVISION FILED UNDER CASE NUMBER: 20-cv-10410,  
RECEIVED FINAL DEPOSITIVE ORDER VIA U.S. MAIL ON JULY 7, 2020 }

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COMES NOW, the Plaintiff, Sandra J. Staten, to file this jurisdictional fraud claim. It is apparent that the normal time constraints are not appropriate since the coronavirus has caused both delays with the courts operations and the postal services operations and has caused the plaintiff to receive this final order via United States mail on July 7, 2020.

The Orders further stated in pertinent part: "It was apparent to the previous Honorable Court as a matter of a legal certainty from the Face of the complaint that



“the claim really was for less than the jurisdictional amount,” “*St. Paul Mercury Indem. Co. v. Red Cab Co.*, 303 U.S. 283, 289 (1938), dismissal for lack of matter jurisdiction is warranted. The burden for pleading the amount in controversy is not a heavy one, and where stat law at least arguably permits the types of damages claimed \$2,099,000.00 (two million, ninety-nine thousand dollars and no cents), the amount in controversy requirement will be satisfied even if it is unlikely that the plaintiff can recover an amount exceeding the jurisdictional requirement. Staten may pursue her fraud case in state court.”

Therefore, the Plaintiff, Sandra J. Staten, (Sandra) sues the Defendant(s) D.R. Horton, Inc., (DRH Inc.,) et al incorporated under the laws of the State of Texas, and has its principal place of business in the State of Texas under the business name of D.R. Horton Inc., America’s Builder. The Plaintiff set forth the following:

## I. PARTIES

### 1. Plaintiff – Sandra J. Staten

c/o Treneice Todd

3541 Stoney Brook Lane

Apartment 204

Fultondale, Alabama 35068

or

Sandra Staten

[sandrastaten.dream@outlook.com](mailto:sandrastaten.dream@outlook.com)

313-257-2773

Wayne County

14368 Mettetal Street

Detroit, Michigan 48227

2. D.R. Horton, Inc.,  
drhorton.com  
877-390-8200  
Tarrant County  
America's Home Builder  
1341 Horton Circle  
Arlington, Texas 76011

## II. **FACTS**

3. Sandra realleges and adopts by reference paragraph numbers "1" through "2" the same as is set out herein.
4. On or around February 02, 2018 the Defendant D.R. Horton Inc. (DRH Inc.) wrote the Plaintiff, Sandra a check numbered 1931124, dated February 19, 2018, in the amount of \$2,099.00, which is construed as a contractual instrument that had a void dated 6 months. (See, Plaintiff's Exhibit "1" attached).
5. The Plaintiff was not presented with the written check until after it had been held past the six month period for the check to become Stale.
6. Although several attempts were made by and through the Plaintiff to get these Defendants to make good on this instrument., they wantonly and willingly continued to fail to make good on this instrument for without any regards for doing what was right or just.
7. On or about September 20, 2019, the Plaintiff, Sandra was instructed to deposit the Stale check by DRH Inc, and informed that the incorporation would be willing to allow the instrument to clear. The Plaintiff at that point did deposit the instrument into her Credit Union

- account as direct, but it was returned and charged against her account as “Stale.” (See, Plaintiff’s Exhibit “2” as attached).
8. The Jefferson County Sherriff Department referred the Plaintiff to the Hoover Police Department for Administrative Clearance so that this matter, which is a form of a contractual liability, can be judiciously adjudicated.
  9. On or about February 06, 2020, the Hoover Police Department under Case Number: 2020-00010625; Incident Type: Civil Dispute; Occur Date From: 02/19/2018 00:01; Occurred Thru: 01/31/2020; Location: 2188 Parkway Lake Drive Hoover, Alabama 35244-1803; Disposition: Administratively Cleared; Disposition Date: 01/31/2020; Reported Date: 01/31/2020 12:22 Friday. (See, Plaintiff’s Exhibit “3”).
  10. This instrument was written to Sandra and is indeed a contractual instrument which these Defendants did fraudulent purposefully refuse to fulfill their obligation thereof.
  11. Sandra is the lawful owner of this instrument who has bore the unreasonable time of waiting and requesting that justice be had in this instance on repeated occasions to no avail.
  12. Sandra demands interest and punitive damages be levied against D.R. Horton, the Defendants, in accordance to 1000~~%~~ and prorated in accordance with IRS rates are calculated for this type of purposeful and wanton fraud.

### **III. COUNTS**

13. Sandra realleges and adopts by reference paragraphs numbers “1” through “12” the same as is fully set out herein.

14. D.R. Horton has committed fraud when they wrote the Plaintiff, Sandra Staten a check, and refused to fulfill their obligation of actually paying for that instrument; whereby causing the Plaintiff undue stress and harm while she repeatedly had to pursue them to attempt to collect her monies.

15. Due to the nature and the wanton practices and/or policies of these Defendants, as well as their un-excusable manner in which they have openly and purposely refused to pay this Plaintiff.

This Plaintiff has suffered mental anguish and severe emotional distress.

**Wherefore**, premises considered, Sandra demands judgment against D.R. Horton in a sum determined by a struck jury, including consequential damages, plus costs and interests.

#### IV. **BAD FAITH/FRAUD**

16. Sandra realleges and adopts by reference paragraphs Numbers “1” through “15” the same as fully set out herein.

17. D.R. Horton has refused to pay Sandra for the “Stale check that is attached hereinto as Plaintiff’s Exhibit “1”, and has denied the same without lawful justification.

18. D.R. Horton acted in bad faith and committed fraud in refusing to make the Stale check good, and to do so in a timely manner, they have taken years to persist in this bad faith fraudulent act.

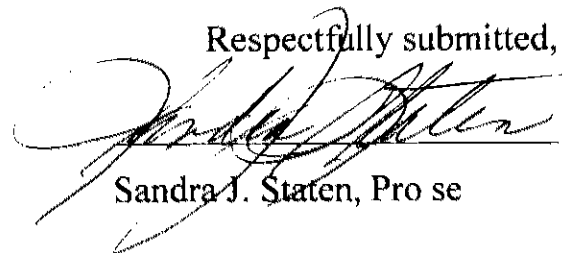
19. Sandra seek full and complete restitution at a 1000~~X~~ marked increase for the excessive time that these Defendants willingly and wanton persisted in their bad faith acts of fraud.

20. Sandra claims punitive damages of D.R. Horton Incorporation.

**Wherefore**, premises considered, Sandra demands judgment against D.R. Horton Inc., in a sum to be determine by a struck

Jury, plus costs and interest. Sandra claims punitive damages.

Respectfully submitted,



Sandra J. Staten, Pro se

Sandra J. Staten

313-257-2773

sandrastaten.dreams@outlook.com

c/o Treneice

3541 Stoney Brook Lane

Apartment 204

Fultondale, Alabama 35068

Sandra J. Staten

14368 Mettetal Street

Detroit, Michigan 48227



STALE DATED

000006889770219  
32227074209162019

THIS CHECK IS PRINTED IN RED AND BLUE INK ON THIS PAPER ON CHEMICAL AND SLEIGHT INACTIVE PAPER WITH INVISIBLE PLUMBERSCRYT FIBERS AND JAGNETTOLANE ON BACK

<b>DEB</b> Controlled Disbursement Wells Fargo Bank, N.A. Vee West, LLC		<b>Check Number</b> 557176	
<b>DEB Inc. Controlled Disb Acct.</b> 1341 Marion Circle Arlington, TX 76011		<b>Date</b> 02/19/18	<b>Amount</b> *****2,099.00
		Valid after 6 months from date of issue	

**Pay** TWO THOUSAND NINETY NINE AND 00/100 \*\*\*\*\*

**To the Order Of** SANDRA STATEN  
100 11TH COURT NORTH  
BIRMINGHAM AL 35204

*D. L. Hector*

100146\*  
9/2019  
550869

GAL COPY of  
You can use it  
say you would  
iginal check.

REASON - G  
DATED

257 by  
y until stale )  
55737611



0000209900

\*FEDERAL RESERVE BOARD OF GOVERNING BODIES

>262284279< 09/17/2019  
0000000000000000

Family Security Credit Union  
BRANCH 10017  
Birmingham, AL  
09/14/19  
TLR 81761 TLR SEEN 1261091  
ACCT # 172490008 SER # 146237  
RBS Federal CU  
>262084893<

DO NOT WRITE, STAMP OR SIGN BELOW THIS LINE  
BANK OF AMERICA, N.A. MEMBER FDIC

ENDORSE HERE  
*[Handwritten signature]*

321270742 09/16/2019  
000006889770219 RR - G  
\*061000146\* 09/19/2019  
9408550869 RR - G

Do not endorse or write below this line.



Date: 9/20/19 Time: 13:39:53

Teller: 66

Receipt No: 71827

Account	Tran Description	Tran \$	Prin \$	Int \$	Fee \$	Balance \$
XXX0008-001 REGSAV	13 rtn ck s staten	2099.00				142.57

SANDRA G STATEN

PO BOX 605

FULTONDALE AL 35068-0605

Cash In:

Checks In:

Cash Out:

nature: \_\_\_\_\_

Thank you for using your credit union..





# Hoover Police Department

## Summary



Print Date/Time: 02/06/2020 16:31  
 Login ID: hoover/hartselc  
 Case Number: 2020-00010625

ORI Number:

Hoover Police Dept  
 AL0011200

### Case

Case Number: 2020-00010625  
 Location: 2188 PARKWAY LAKE DR  
 HOOVER, AL 352441803  
 Reporting Officer ID: 12643 - Vaughn

Incident Type: Civil Dispute  
 Occurred From: 02/19/2018 00:01  
 Occurred Thru: 01/31/2020 00:01  
 Disposition: Administratively Cleared  
 Disposition Date: 01/31/2020  
 Reported Date: 01/31/2020 12:22 Friday

### Offenses

No.	Group/ORI	Crime Code	Statute	Description	Counts
-----	-----------	------------	---------	-------------	--------

### Subjects

Type	No.	Name	Address	Phone	Race	Sex	DOB/Age
Suspect	1	Dr Horton DA	2188 PARKWAY LAKE DR 200 HOOVER, AL 352441803	(205)822-1611			
Victim	1	STATEN, SANDRA J	519 CHAPEL CREEK CT FULTONDALE, AL 35068	(205)382-3836	Black	Female	11/22/1951 68

### Arrests

Arrest No.	Name	Address	Date/Time	Type	Age
------------	------	---------	-----------	------	-----

### Property

Date	Code	Type	Make	Model	Description	Tag No.	Item No.
------	------	------	------	-------	-------------	---------	----------

### Vehicles

No.	Role	Vehicle Type	Year Make	Model	Color	License Plate	State
-----	------	--------------	-----------	-------	-------	---------------	-------

Routing:

CERTIFICATE OF SERVICE

I, hereby certify that on this the 16 day of July 20 20 a true and correct copy of the above and foregoing was place in the United States Mail and served upon the parties and/or their counsel of record and/or the clerk of the Court by the specified delivery as indicative of this Court of as indicated below by checking the box indicating:

US Mail   :

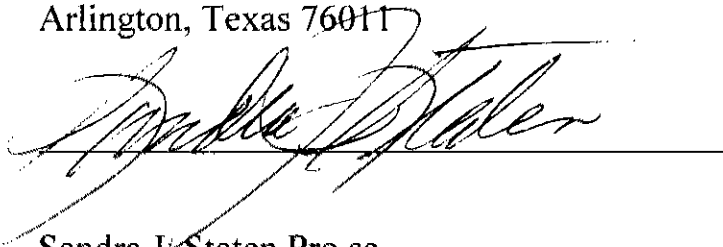
D. R. Horton, Inc.,

877-390-8200

America's Home Builder

1341 Horton Circle

Arlington, Texas 76011

A handwritten signature in black ink, appearing to read "Sandra J. Staten", is written over a horizontal line.

Sandra J. Staten Pro se

Sandra J. Staten, Pro se

sandrastaten.dreams@outlook


c/o Treneice Todd

3541 Stoney Brook Lane

Apartment 204

Fultondale, Alabama 35068

Sandra J. Staten

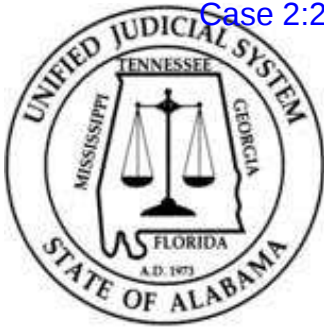


313-257-2773

14368 Mettetal Street

Detroit, Michigan 48227

.com



## AlaFile E-Notice

01-CV-2020-000126.00

Judge: BRENETTE BROWN GREEN

To: STATEN SANDRA C/O TRENEICE TODD (PRO SE)  
3541 STONEY BROOK LANE  
APARTMENT 204  
FULTONDALE, AL, 35068-0000

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## NOTICE OF SERVICE

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IN THE CIRCUIT COURT OF JEFFERSON COUNTY, ALABAMA

SANDRA J STATEN VS D.R. HORTON  
01-CV-2020-000126.00

The following matter was served on 7/27/2020

**D001 D.R. HORTON**  
**Corresponding To**  
CERTIFIED MAIL

JACQUELINE ANDERSON SMITH  
CIRCUIT COURT CLERK  
JEFFERSON COUNTY, ALABAMA  
JEFFERSON COUNTY, ALABAMA  
716 N. RICHARD ARRINGTON BLVD.  
BIRMINGHAM, AL, 35203

205-325-5355  
jackie.smith@alacourt.gov

**SENDER: COMPLETE THIS SECTION**

- Complete items 1, 2, and 3.
- Print your name and address on the reverse so that we can return the card to you.
- Attach this card to the back of the mailpiece, or on the front if space permits.

1. Article Addressed to:

D.R. HORTON  
1341 HORTON CIRCLE  
ARLINGTON, TX 76011



9590 9402 5883 0038 7864 93

2. Article Number (Transfer from service label)

7020 0090 0000 7628 1934

**COMPLETE THIS SECTION ON DELIVERY**

A. Signature

X LaDonna Sampsell

☒ Agent☐ Addressee

B. Received by (Printed Name)

LaDonna Sampsell

C. Date of Delivery

7/27/20

D. Is delivery address different from item 1? ☐ YesIf YES, enter delivery address below: ☐ No

5/C

D1

CV2020-126

3. Service Type

☐ Adult Signature☐ Adult Signature Restricted Delivery☒ Certified Mail®☐ Certified Mail Restricted Delivery☐ Collect on Delivery☐ Collect on Delivery Restricted Delivery☐ Priority Mail Express®☐ Registered Mail™☐ Registered Mail Restricted Delivery☒ Return Receipt for Merchandise☐ Signature Confirmation™☐ Signature Confirmation Restricted Delivery



USPS TRACKING#



NORTH TEXAS TX 750

31 JUL 2020 PM 7 L

First-Class Mail  
Postage & Fees Paid  
USPS  
Permit No. G-10

9590 9402 5883 0038 7864 93

United States

Postal Service

• Sender: Please print your name, address, and ZIP+4® in this box•

FILED IN OFFICE  
CIRCUIT CIVIL DIVISION

AUG 05 2020

JACQUELINE ANDERSON SMITH  
CLERK

JACQUELINE ANDERSON SMITH, CLERK

ROOM 400 JEFF CO COURTHOUSE

716 RICHARD ARRINGTON JR BLVD., NO.

BIRMINGHAM, ALABAMA 35203

